



**CIRCUIT COURT FOR BALTIMORE COUNTY  
THIRD JUDICIAL CIRCUIT  
County Courts Building  
Towson, Maryland 21204**

**Notice to the Bar and Litigants:  
Civil Contempt Protocol for Family Cases**

This protocol explains how the Court processes and hears Petitions for Contempt filed in divorce, child custody, visitation, and child support cases. Petitions for Contempt alleging a violation of a Protective Order are processed by Central Assignment and are always heard by a judge.

**1. FILING A PETITION FOR CONTEMPT**

- a.** Petitions for Contempt have a \$31 filing fee. The Clerk's office cannot process the Petition without a filing fee, unless the Petitioner has requested and been granted a fee waiver.
- b.** The Petitioner should submit a Show Cause Order with the Petition. Forms are available from the Clerk's office.

**2. REFERRAL TO PRE-HEARING CONTEMPT CONFERENCE OR HEARING**

All cases are scheduled for either a Pre-Hearing Contempt Conference or a Hearing, which takes place approximately 45 days from the date of filing.

- a.** Most Petitions for Contempt are referred to a Pre-Hearing Conference with the Office of Family Mediation. A hearing is scheduled if mediation is unsuccessful.
- b.** Cases involving a party who lives 100 miles or more from the courthouse, or in which at least 3 Petitions for Contempt have been filed in the past two years, go directly to a hearing before a Family Magistrate or Judge.

**i. Matters heard by judges:**

- 1. Breach of separation agreement/contract provision
- 2. Interpretation of separation agreement or Order
- 3. House repair/sale
- 4. Pension/retirement
- 5. College tuition

6. Tax credits.

**ii. Matters heard by magistrates:**

1. Child access/visitation
2. Communication/legal custody
3. Nonpayment of child support, including reducing the arrears to a judgment
4. Nonpayment of alimony
5. Use and possession
6. Health or life insurance
7. Drug testing.

iii. **Requests for jail time:** if the issue is one typically heard by a magistrate, the case is assigned to a magistrate. At the hearing, the magistrate will determine whether the Petitioner actually wants jail time. If so, the magistrate will contact Central Assignment to get a hearing date with a judge, and the parties will be served with hearing notices in open court.

iv. **Specially assigned cases:** are typically heard by the assigned judge.

**3. SHOW CAUSE ORDERS AND SERVICE**

- a. Petitions for Contempt are referred to the Chambers Judge (or the assigned Judge if the case is specially assigned) to grant or deny the Show Cause Order.
- b. The Show Cause Order, if granted, will include deadlines for service (20 days from the date of the Order) and filing an Answer (10 days from the service deadline). The Show Cause Order will also specify how service is to be made.
- c. The Petitioner is responsible for making sure the Petition and Show Cause Order are served before the deadline, and the Affidavit of Service is filed with the Court.
- d. If the Petition and Show Cause Order are not served by the deadline, the Pre-Hearing Contempt Conference or Hearing will not take place. The Court will not take any further action unless the Petitioner requests that the Show Cause Order be reissued.